

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, ) Case No. 2:12-cv-01025-JAD-PAL  
vs. ) Plaintiff, ) **ORDER**  
\$40,162.00 IN UNITED STATES CURRENCY, ) ) (Mtn to Withdraw - Dkt. #14)  
Defendant . ) )

This matter is before the court on the Motion to Withdraw as Counsel of Record (Dkt. #14) filed October 21, 2013. Gabriel L. Grasso seeks to withdraw as counsel of record for Claimant Justin Swartz. The Motion represents that counsel has lost contact with Mr. Swartz, and they have not communicated in months. Under these circumstances, it is impossible to represent Mr. Swartz. Local Rule IA 10-6 provides that “no withdrawal . . . shall be approved if delay of discovery, the trial or any hearing in the case would result.” The government filed a Verified Complaint for Forfeiture in Rem (Dkt. #1) in June 15, 2012. Mr. Swartz filed an Answer (Dkt. #7) on September 4, 2013. A Motion to Strike the Answer (Dkt. #13) is pending before the district judge.

Having reviewed and considered the matter, and for good cause shown,

**IT IS ORDERED:**

1. The Motion to Withdraw as Counsel of Record (Dkt. #14) is GRANTED.
  2. Claimant Justin Swartz shall have until **November 22, 2013**, in which to retain new counsel who shall file a notice of appearance in accordance with the Local Rules of Practice or to file a statement that he will proceed pro se.
  3. Failure to comply with this order may result in a recommendation to the district judge for sanctions, including case-dispositive sanctions.

4. The Clerk of Court shall serve a copy of this Order on Plaintiffs at:

Justin Swartz  
3629 Union St.  
Freemont, CA 94538

Dated this 22nd day of October, 2013.

Peggy A. Teen  
PEGGY A. TEEN  
UNITED STATES MAGISTRATE JUDGE